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2 THE HONORABLE BARBARA J. ROTHSTEIN
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UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

8 MARTIN LUTHER KING, JR.
9 COUNTY, et al.,

10 v.
11 Plaintiffs,

12 SCOTT TURNER in his official capacity
13 as Secretary of the U.S. Department of
Housing and Urban Development, et al.,

14 Defendants.

No. 2:25-cv-00814-BJR

DECLARATION OF JAMES WONG

15 I, JAMES WONG declare as follows:

16 1. I am over the age of eighteen, competent to testify, and make this declaration
17 based on my personal knowledge and my review of relevant business records.

18
19 **Personal Background**

20 2. I am the Housing Director of the Housing Department for the City of Pasadena
21 (“Pasadena”). I have held this position since March 2025. In my capacity as the Housing
22 Director, my duties include directing, coordinating, and overseeing activities of the Housing
23 Department which is comprised of four divisions: (1) Supportive Housing, (2) Rental
Assistance, (3) Community Development, and (4) Municipal Assistance, Solutions, and Hiring.
24 In my capacity as Housing Director, my duties further include managing and overseeing
25 Pasadena’s federal and state grant applications for housing-related programs.

26 3. I have previously submitted a declaration in this action, dated May 20, 2025.

Pasadena's HUD Grants

4. Since 2021, Pasadena has applied for and/or been awarded grants as a direct recipient or subrecipient of several grant programs administered by the United States Department of Housing and Urban Development (“HUD”) including but not limited to the following:

- Community Development Block Grant (“CDBG”),
 - Emergency Housing Voucher (“EHV”),
 - Emergency Solutions Grant (“ESG”),
 - Emergency Solutions Grant Rapid Unsheltered Survivor Housing (“ESG RUSH”),
 - Home Investment Partnership Act (“HOME”),
 - Home Investment Partnership Act – American Rescue Plan Act (“HOME-ARPA”),
 - Housing Choice Voucher (“HCV”),
 - Housing for Persons with AIDS (“HOPWA”),
 - Non-Elderly Disabled (“NED”), and
 - Veterans Affairs Supportive Housing (“VASH”).

5. HUD grant funding accounts for approximately 74% of the Housing Department's total operating budget for fiscal year 2026. The Housing Department expects to expend approximately \$37,000,000 in total HUD grant funding for fiscal year 2026, including over \$24,000,000 in HCV grant funds, over \$3,000,000 in HOME grant funds, and over \$2,000,000 in CDBG grant funds.

6. To illustrate the problematic conditions imposed or threatened to be imposed by HUD in its grant programs, I will discuss the CDBG grant program in this declaration.

CDBG Grant Program

7. Pasadena has received CDBG grant funding since 1988. Pasadena relies on CDBG funds to support essential public services, economic development, housing rehabilitation, and capital improvement programs that benefit low- and moderate-income (“LMI”) residents

1 citywide. Pasadena's CDBG-funded programs serve over 10,000 residents annually, the majority
 2 of whom are LMI individuals such as seniors, youth, and small businessowners.

3 8. CDBG is a formula grant administered by HUD's Office of Community Planning
 4 and Development ("CPD"). To obtain CDBG grants, Pasadena has historically: (1) prepared and
 5 submitted Consolidated Plans to HUD every five years, (2) prepared and submitted Annual
 6 Action Plans to HUD every year, (3) held public hearings to solicit comments on those plans,
 7 and (4) reviewed and executed HUD grant agreements.

8 9. On or about June 20, 2025, HUD sent an email to Pasadena, notifying Pasadena
 9 that "HUD will be reviewing FY 2025 Consolidated and Annual Action Plans to ensure
 10 alignment with applicable White House Executive Orders" and that "FY 2025 CPD formula grant
 11 agreement(s) will include language to emphasize compliance with these Executive Orders."
 12 HUD's email referred Pasadena to its letter dated June 5, 2025 to the Council of State Community
 13 Development Agencies ("COSCDA") and the National Community Development Association
 14 ("NCDA") for additional context. Attached to this Declaration as **Exhibit A** is a true and correct
 15 copy of this email from HUD to Pasadena dated June 20, 2025.

16 10. In HUD's June 5 letter to COSCDA and NCDA, HUD states that Fiscal Year
 17 2025 grant agreements from CDP will "emphasize conformity with applicable Administration
 18 priorities and executive orders." According to HUD, conformity means, among other things, that
 19 a grantee:

- 20 • "shall not use grant funds to promote 'gender ideology,' as defined in Executive
 21 Order (E.O.) 14168, Defending Women from Gender Ideology Extremism and
 22 Restoring Biological Truth to the Federal Government";
- 23 • "agrees that its compliance in all respects with all applicable Federal anti-
 24 discrimination laws is material to the U.S. Government's payment decisions for
 25 purposes of section 3729(b)(4) of title 31, United States Code";
- 26 • "certifies that it does not operate any programs that violate any applicable Federal
 27 antidiscrimination laws, including Title VI of the Civil Rights Act of 1964";

- “shall not use any grant funds to fund or promote elective abortions, as required by E.O. 14182, Enforcing the Hyde Amendment”;
 - “must administer its grant in accordance with all applicable immigration restrictions and requirements, including the eligibility and verification requirements that apply under title IV of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996, as amended (8 U.S.C. 1601-1646) (PRWORA) and any applicable requirements that HUD, the Attorney General, or the U.S. Citizenship and Immigration Services may establish from time to time to comply with PRWORA, Executive Order 14218, or other Executive Orders or immigration laws”; and
 - “may [not] use that funding in a manner that by design or effect facilitates the subsidization or promotion of illegal immigration or abets policies that seek to shield illegal aliens from deportation.”

11. While the Housing Department has not received a CDBG grant agreement from HUD for fiscal year 2025, I anticipate HUD will attach the foregoing problematic conditions to that CDBG grant agreement in addition to future ones.

Negative Impacts from Losing CDBG Funding

12. The new grant conditions imposed and threatened to be imposed by HUD force Pasadena either to agree to these conditions or lose access to millions of dollars in federal grant funding. The impacts of losing these funds would be devastating for several reasons.

13. First and most obviously, loss of CDBG funding would negatively impact the scope and quality of programs and services provided by the Housing Department, resulting in reductions in its ability to provide or advance public services, economic development, housing rehabilitation, and capital improvement programs. These reductions, of course, have tragic negative impacts upon (1) the LMI residents who rely on these funds for housing and other services and (2) the CDBG subrecipients whom the Housing Department works with.

14. Second, loss of CDBG funding would negatively impact the Housing Department's budget and planning. In the short-term, the Housing Department would lose approximately \$2.2 million in funding which would require the Housing Department to revise its budget and planning goals to account for this funding shortfall. The Housing Department may even have to cancel construction contracts and suspend existing subrecipient agreements given these budgetary and planning revisions. In the long-term, the Housing Department's ability to comply with its Consolidated Plan goals would be placed in serious jeopardy because those goals were formulated based upon steady CDBG funding which the Housing Department will not be able to source elsewhere.

15. Third, loss of CDBG funding would have negative economic impacts on Pasadena. Foregoing or deferring CDBG-funded projects reduces local economic activity, hurting LMI residents and local businesses. These economic impacts also have ripple effects on those in construction and human services sectors.

16. Fourth, loss of CDBG funding would potentially impact the Housing Department's staffing, resulting in the layoff of one staff position and the reclassification downward of two other staff positions.

I declare under penalty of perjury that the foregoing is true and correct.

EXECUTED this 8th day of July, 2025.

[Signature]

James Wong

EXHIBIT A

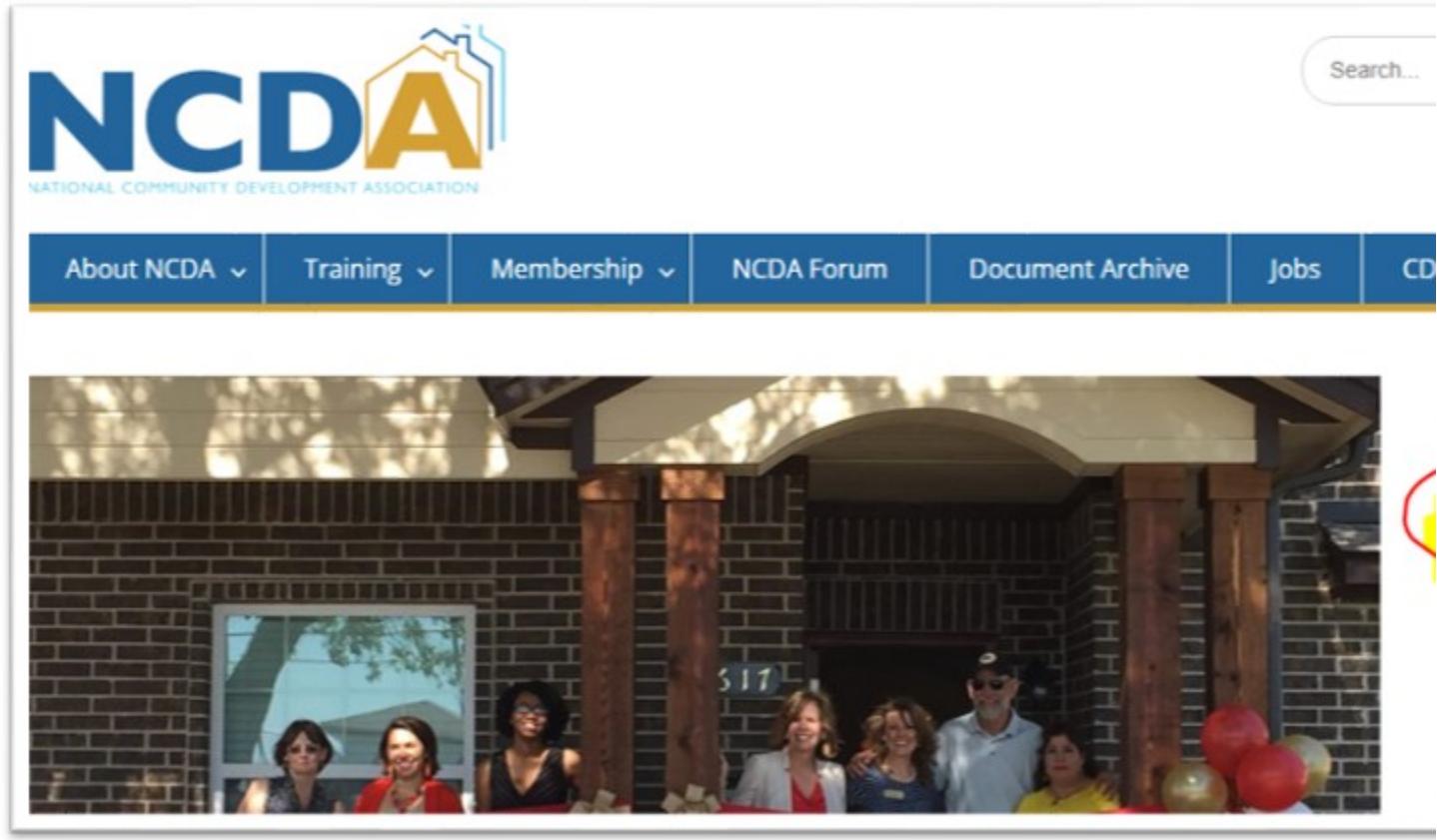
From: Proctor, Albert E <Albert.E.Proctor@hud.gov>
Sent: Friday, June 20, 2025 8:24 AM
Subject: Important Update on FY 2025 Consolidated/Action Plans and Grant Agreements

[⚠ CAUTION: This email was delivered from the Internet. Do not click links or open attachments unless you **know** the content is safe. Report phish using the Phish Alert Button. For more information about the Phish Alert Button view article "KB0011474" on the DoIT portal.

Greetings,

We want to make you aware that HUD will be reviewing FY 2025 Consolidated and Annual Action Plans to ensure alignment with applicable White House Executive Orders. In addition, your FY 2025 CPD formula grant agreement(s) will include language to emphasize compliance with these Executive Orders. Please review HUD's June 5, 2025, response to COSCDA and NCDA for additional context or visit NCDA's [website](#):

[HUD Response to COSCDA/NCDA – June 5, 2025](#)



If you have any questions, feel free to reach out.

Thank you.

ALBERT E. PROCTOR

Community Planning and Development Representative
U.S. Department of Housing and Urban Development
Office of Community Planning and Development
300 N. Los Angeles Street, Suite 4054
Los Angeles, CA 90012
Albert.E.Proctor@hud.gov

CERTIFICATE OF SERVICE

I hereby certify that on July 14, 2025, I served a true and correct copy of the foregoing document on the following parties by the method(s) indicated below:

<p>Brian C. Kipnis Annalisa L. Cravens Sarah L. Bishop Rebecca S. Cohen <i>Assistant United States Attorneys</i> Office of the United States Attorney 700 Stewart Street, Suite 5220 Seattle, WA 98101-1271 brian.kipnis@usdoj.gov annalisa.cravens@usdoj.gov sarah.bishop@usdoj.gov rebecca.cohen@usdoj.gov</p> <p><i>Attorneys for Defendants</i></p>	<input checked="" type="checkbox"/> CM/ECF E-service <input type="checkbox"/> Email <input type="checkbox"/> U.S. Mail <input type="checkbox"/> Certified Mail / Return Receipt Requested <input type="checkbox"/> Hand delivery / Personal service
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I declare under penalty of perjury under the laws of the United States and the State of Washington that the foregoing is true and correct.

DATED this 14th day of July, 2025.

/s/ Gabriela DeGregorio

Gabriela DeGregorio

Litigation Assistant

Pacifica Law Group LLP